IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4123 OF 2005
IN
FIRST APPEAL NO. 2529 OF 2005.

M/s.Radha Silk Mills Ltd. ... Applicant.
Versus.
The Regional Director,
Employees' State Insurance Corporation. ... Respondents.

Shri V.P.Vaidya for the Applicant.

Shri M.V.Jaykar for the Respondents.

CORAM : ABHAY S.OKA, J.

DATED : 13th MARCH, 2006.

P.C.:

1. Rule. Respondents waive service. Taken up for hearing forthwith.

2. Considering the nature of controversy unconditional stay cannot be granted. However, it is directed that during the pendency of the Appeal no coercive steps shall be taken against the Applicant on the basis of the order dated 20th September 1991, subject to condition of the Applicant depositing a sum of Rs.1,39,229/- with the Respondent-Corporation within a period of three months from today.

3. If the amount is not deposited within the stipulated time, the interim relief granted will stand vacated automatically.

4. Deposit of the said amount by the Applicant and

the acceptance thereof by the Respondents will be without prejudice to the rights and contentions of the parties. In case the Appellant succeeds in the present Appeal, the Respondent-Coporation will be liable to refund the said amount to the Appellant with appropriate interest as may be fixed by this Court.

5. Civil Application disposed of with the above directions with no order as to costs.

Judge.